

REMARKS

Claims 7-18 and 21-31 are pending in this application. By this Amendment, claims 5-6 are canceled without prejudice or disclaimer, claims 7-18 are amended, and new claims 21-26 are added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 8-18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 8 and 10 have been rewritten substantially in independent form. Accordingly, claims 8 and 10 should be in condition for allowance, along with claims 9 and 11-18, which depend respectively therefrom.

The Office Action objected to claim 16 for an informality. The Examiner's comment has been addressed in amending claim 16. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 9 and 13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants' regard as the invention. The Examiner's comments have been addressed in amending claims 9 and 13. Accordingly, the rejection should be withdrawn.

The Office Action rejected claim 7 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,584,732 to Kohsaka, U.S. Patent No. 4,464,914 to Torita, U.S. Patent No.

4,395,890 to Goodlaxson, and U.S. Patent No. 3,603,118 to Brucken et al. (hereinafter "Brucken"). The rejections are respectfully traversed.

Independent claim 7 has been amended to recite that the lower tub cover is configured to be positioned under the upper tub cover spaced therefrom and configured to be fastened to the upper tub cover by at least one height adjusting member. Kohsaka, Torita, Goodlaxson, and Brucken each fail to disclose or suggest such features, in particular, at least one height adjusting member fastening the upper tub cover to the lower tub cover. Accordingly, the rejection of independent claim 7 should be withdrawn.

Added claims 21-26 also meet the requirements of 35 U.S.C. §112 and define over the applied prior art. That is, none of the applied prior art disclose or suggest an upper tub cover configured to be fastened to the outer tub, in addition to a lower tub cover configured to be positioned under the upper tub cover spaced therefrom and fastened to the upper tub cover, thereby forming water washing passages between the upper tub cover and the lower tub cover, wherein the upper tub cover and the lower tub cover are similar in shape. The applied prior art also fail to disclose or suggest the features of dependent claims 22-26.

Added claims 27-31 also meet the requirements of 35 U.S.C. §112 and define over the applied prior art. That is, none of the applied prior art disclose or suggest an upper cover configured to be fastened to an outer tub, and a lower cover configured to be positioned under the upper cover spaced therefrom and configured to be fastened to the upper cover, thereby forming at least one washing water passage between the upper cover and the lower cover.

Regarding Kohsaka, the Examiner asserted in the rejection of independent claim 7 that the claimed tub cover is taught by the annular tub cover 19. However, the alleged annular tub cover 19 merely corresponds to the liquid balancer for balancing an inner tub 4. In addition, as shown in Fig. 1 of Kohsaka, upper and lower pieces of the liquid balancer 19 are all installed to the inner tub 4. Accordingly, Kohsaka fails to disclose or suggest not only an upper cover fastened to an outer tub, but also a lower cover fastened to such upper cover as recited in independent claim 27.

Torita discloses a spraying device 42 provided to the outer tub, and as shown in Fig. 2 of Torita, this spraying device 42 includes a vessel 44 and a lid 46 installed within the vessel 44. In the rejection of independent claim 7, the Examiner alleged that the spraying device 42 corresponds to the claimed tub cover, and more specifically, the lid 46 and the vessel 44 (accurately, a bottom portion thereof) correspond to the upper and lower covers forming a water passage therebetween. However, the vessel 44 (i.e., the lower cover) is substantially fastened to the lower cover. Therefore, Torita does not disclose or suggest the upper and lower covers, as recited in independent claim 27. Furthermore, the vessel 44 and the lid 46 include through holes 52 and 60, respectively, and washing water flows through these holes 52 and 60. Accordingly, Torita discloses a water passage passing through the upper and lower covers and thus fails to disclose or suggest the claimed water passage formed between the upper and lower covers, as recited in independent claim 27.

Goodlaxson discloses a tub cover provided at a top of an outer tub, as shown in Fig. 1. This tub cover might be considered to be the claimed upper cover as being installed to the outer tub. However, Goodlaxson fails to disclose or suggest any member positioned under and fastened to such tub cover. Therefore, Goodlaxson fails to disclose or suggest the lower cover positioned under the upper cover and fastened to the upper cover, as recited in independent claim 27. Further, in Goodlaxson, the water passage is formed between the tub cover and a side wall of the inner tub 29. Accordingly, Goodlaxson fails to disclose or suggest the upper and lower covers forming the water passage therebetween, as recited in independent claim 27.

With regard to Brucken, the Examiner alleged in the rejection of independent claim 7 that the claimed tub cover is disclosed by a collar 64 and a side wall 58 of an outer tub rim 56. It appears that the Examiner regards the collar 64 and the side wall 58 as the lower and upper covers, respectively. However, as shown in Fig. 6 of Brucken, the collar 65 (the lower cover) is a member continuously extending from a lower portion of the side wall 58 (the upper cover). Accordingly, Brucken fails to disclose or suggest the lower cover configured to be positioned under the upper cover spaced therefrom, as recited in independent claim 27. In addition, as the collar 64 is fastened to the outer tub 12, Brucken fails to disclose or suggest the lower cover fastened to the upper cover. Also, the water passage could not be formed only by the collar 64 and the side wall 58 as disclosed in Brucken. The water passage of Brucken is formed between the collar 64, the side wall 58, and an inner tub rim 132. Therefore, Brucken fails to disclose or

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suggest the upper and lower cover forming the water passage therebetween, as recited in independent claim 27.

Thus, none of the applied references, taken alone or in combination, teach or suggest all of the features recited in independent claim 27. The applied prior art also fail to disclose or suggest the features of dependent claims 28-31.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carol L. Druzbeck**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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